

FILED

November 22, 2021

**OFFICE OF
APPELLATE COURTS**

STATE OF MINNESOTA

IN SUPREME COURT

ADM09-8009

**ORDER PROMULGATING AMENDMENTS TO THE
GENERAL RULES OF PRACTICE FOR THE DISTRICT COURTS**

The Judicial Council, the administrative policy-making authority for the Minnesota Judicial Branch, approved amendments effective as of October 1, 2021 to Council Policy No. 221. As amended, this policy requires court reporters to file all transcripts into MNCIS, the case management system for trial court records and documents. The policy also states that transcripts must be provided in an electronic format and court reporters will not provide paper transcripts.

We opened a public comment period on amendments to the rules that govern appeals that were proposed for consistency with Council Policy No. 221 as amended. In that comment period, the State Court Administrator proposed adoption of a new rule in the General Rules of Practice for the District Courts, which would govern the delivery and filing of all transcripts, whether or not requested for an appeal. Agreeing that a generally applicable rule to govern all transcript requests would be beneficial and provide guidance to parties, court reporters, and court staff, we opened a public comment period on August 25, 2021, for proposed Rule 17 of the General Rules of Practice; we extended that comment period on September 23, 2021, for an additional 4 weeks.

In this comment period, the State Court Administrator filed a letter that proposed clarifying language in the new rule and housekeeping amendments in the Rules of Juvenile

Protection Procedure and the Rules of Adoption Procedure for consistency with new Rule 17, if adopted. No other comments were filed.

Based on all of the files, records, and proceedings herein,

IT IS HEREBY ORDERED that Rule 17 of the General Rules of Practice, as shown below, is adopted effective January 1, 2022, and shall apply to all transcript orders made or placed on or after the effective date.

Dated: November 22, 2021

BY THE COURT:

A handwritten signature in black ink, appearing to read "Lorie S. Gildea". The signature is written in a cursive, flowing style.

Lorie S. Gildea
Chief Justice

AMENDMENTS TO THE GENERAL RULES OF PRACTICE FOR THE DISTRICT COURTS

[Note: The proposed amendment is a new rule; thus, no deletions as indicated by strikethrough formatting, nor additions as indicated by underline formatting, are shown below.]

TITLE I. RULES APPLICABLE TO ALL PROCEEDINGS

RULE 17. TRANSCRIPT FILING REQUIREMENTS

Subdivision 1. Transcripts of any part of a district court proceeding prepared at the request of any person other than the presiding judge, and In Forma Pauperis transcripts ordered by a judge, must be delivered to the requestor or the party who applied for the In Forma Pauperis transcript in electronic format, unless the requestor or In Forma Pauperis party does not have an email address to which the transcript can be delivered or does not have access to email due to circumstances such as incarceration. If the court reporter cannot deliver a transcript to the requestor or the In Forma Pauperis party in an electronic format, the court reporter shall file the transcript with the court administrator after satisfactory financial arrangements have been made with the requestor, and for an In Forma Pauperis transcript ordered by a judge, upon completion. The court reporter shall file with the transcript an affidavit or statement with the court administrator confirming that the requestor or In Forma Pauperis party has represented that they do not have an email address to which the transcript can be delivered electronically or access to an email address due to circumstances such as incarceration. The requestor may then obtain one paper copy of the transcript from the court administrator without paying the district court copy fee. The In Forma Pauperis party may obtain a paper copy of the In Forma Pauperis transcript without charge.

Subdivision 2. Any court reporter who prepares a transcript of any part of a district court proceeding for purposes other than an appeal, at the request of any person other than the presiding judge, shall file the transcript with the district court administrator no more than 7 days after the date of delivery, unless a different time period to file the transcript is required by another applicable court rule. Any court reporter who prepares an In Forma Pauperis transcript ordered by a judge, for purposes other than an appeal, shall file the transcript with the district court administrator no more than 7 days after the date of delivery, unless a different time period is required by another applicable court rule. If the court reporter prepares a transcript at the request of the presiding judge, the court reporter shall not file the transcript with the district court administrator unless directed in writing by the presiding judge to do so. Transcripts ordered for an appeal are governed by either Minn. R. Civ. App. P. 110.02 or Minn. R. Crim. P. 28.02, subd. 9.